

Appellant-defendant Shannon York appeals the trial court's order directing her to serve the entire eighteen months of her suspended sentence following the revocation of probation. In essence, York argues that the trial court abused its discretion in ordering her to serve the entire term of the suspended sentence. Finding no error, we affirm the judgment of the trial court.

FACTS

On August 23, 2006, York was sentenced to eighteen months, fully suspended to probation, for check fraud, a class D felony. Although York was to report to the probation department on a monthly basis, she failed to appear for her initial appointment.

Thereafter, on February 23, 2007, York met with probation officer Melissa Hammond for the first time. At that meeting, York tested positive for opiates and benzodiazepines. Although Hammond requested York to provide proof that a physician had prescribed the drugs, York never again reported to probation. As a result, on October 16, 2007, the State filed a petition to revoke York's probation, alleging that she had: (1) failed to report to the probation department as ordered; and (2) tested positive for opiates and benzodiazepines without proof of a valid prescription for those drugs.

Following a hearing on February 6, 2008, the trial court revoked York's probation. In ordering her to serve the entire term of the originally suspended sentence, the trial court commented:

Apparently, I have not impressed you with the seriousness of this. The Petition asking for revocation was file marked on October 16th. Today, the date of the hearing . . . is . . . February 6th. You come in and decide to find some scripts for something that may or may not be what you tested for. Since this was filed, you've had the opportunity to see a probation officer

and I'm sure wouldn't have told you no, I won't see you cause the hearing's coming up.

...

At the last minute, you run over with some supposed scripts. You've had all that time to talk to Ms. Hammond and for whatever reason decided not to.

Tr. p. 31-32. York now appeals.

DISCUSSION AND DECISION

In addressing York's contention that the trial court erred in ordering her to serve the entire eighteen-month sentence that was originally suspended, we note that a trial court's sentence following a probation revocation is reviewed for an abuse of discretion. Sanders v. State, 825 N.E.2d 952, 957 (Ind. Ct. App. 2005). If the trial court finds that a probationer has violated a condition of probation, it may order execution of all or part of the sentence that was suspended at the time of initial sentencing. Ind. Code § 35-38-2-3(g)(3).

In this case, York offered a number of excuses for missing the appointments with her probation officer and stated "that things were getting better and stabilized." Appellant's Br. p. 5-6. However, York cites no authority—and we have found none—to support her assertion that the trial court should have even considered those excuses, let alone afford them any significant weight. In our view, the failure of a defendant to report to probation defeats the entire purpose of a supervised release from incarceration. Moreover, a positive drug screen is a similarly severe violation of the terms of a defendant's release on probation. Thus, we cannot say that the trial court abused its discretion in ordering York to serve the full term of the originally suspended sentence.

See Rosa v. State, 832 N.E.2d 1119, 1121 (Ind. Ct. App. 2005) (holding that when the trial court finds that the defendant has violated probation, it may order the defendant to prison to serve any part of the sentence that was suspended).

The judgment of the trial court is affirmed.

MATHIAS, J., and BROWN, J., concur.